

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

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In re:  
FLORENCE JAMES

Case No. 19-05769  
Chapter 13  
Judge Pamela S. Hollis

Debtors.

Confirmation hearing:  
05/17/2019 11:30 a.m.

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**ENCLAVE CONDOMINIUM ASSOCIATION'S OBJECTION TO CONFIRMATION  
OF DEBTOR'S CHAPTER 13 PLAN  
FILED MARCH 5, 2019**

Now comes a certain Creditor, ENCLAVE CONDOMINIUM ASSOCIATION, by and through its attorney, Benjamin J. Rooney of Keay & Costello, P.C., and for its objection to Debtor's chapter 13 plan filed March 5, 2019 states as follows:

1. Enclave Condominium Association is a claimant-creditor of the Debtor and brings this motion pursuant to 11 U.S.C. 1324 and 1325.

2. On April 18, 2019, Enclave Condominium Association filed its proof of claim with respect to Debtor's obligation to pay association assessments for the property located at 120 Enclave Circle, Unit C, Bolingbrook, Illinois 60440. (Exhibit "A").

3. That pursuant to Enclave Condominium Association's governing documents, which have been recorded with the Recorder of Deeds of Will County, Illinois, a lien attaches to the property of the Debtor to secure unpaid assessments and other obligations arising out of ownership of a unit under the jurisdiction of Enclave Condominium Association.

4. At the time Debtor filed the chapter 13 petition on March 5, 2019, Debtor owed the amount of \$2,502.65 for past due assessments, late fees and attorney fees to Enclave Condominium Association. (Exhibit "A").

5. Debtor's plan fails to fully and properly account for Enclave Condominium Association's secured interest in the subject real estate and the pre-petition arrearage.

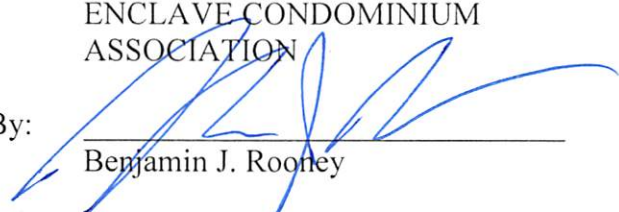
6. As a result of Enclave Condominium Association's lien rights in Debtor's real estate and the proof of claim filed on April 18, 2019, Enclave Condominium Association, should be included in Debtor's chapter 13 plan as a secured creditor in the amount of \$2,502.65.

7. As a result of Debtor's failure to fully account for the pre-petition secured debt owed to Enclave Condominium Association, confirmation of Debtor's March 5, 2019 plan should be denied.

WHEREFORE, Enclave Condominium Association prays this court for entry of the attached order denying confirmation of the Debtor's plan filed March 5, 2019, and for any such other and further relief as this court deems just and equitable within the premises.

ENCLAVE CONDOMINIUM  
ASSOCIATION

By:

  
Benjamin J. Rooney

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